THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 11824 of 2007

Date:03-08-2007

Between:

Aravind Singh ..
PETITIONER

AND

The A.P.Civil Supplies Corporation, rep. By its District Manager, Adilabad and two others.

..
RESPONDENTS

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ORDER:

The petitioner seeks a writ of mandamus to declare the action of the respondents-Corporation in not executing the agreement in favour of the petitioner in spite of completion of entire process of finalizing the tenders as per the tender notice
No. PDS.2/Movt./FG.5(39)/1289/2007-08, dated 24.02.2007, as illegal and arbitrary.

A counter has been filed by the respondents 1 to 3 stating that the petitioner quoted 28.97% excess rates than the previous year, but whereas the rate in other districts is below 15% and therefore, the said tender cannot be given to the petitioner.

It is stated that the petitioner is ready to negotiate and reduce the rates quoted by him below 15%. Pursuant to the directions of this Court, dated 17.07.2007 the learned counsel for the respondents submits that the tender committee at the Head Office has examined the final lowest rates offered by the petitioner and as the petitioner has offered his final lowest rate with an increase of 9.31% on the existing rates and the average rate per metric ton works out to Rs.234.69 ps., the contract was awarded in favour of the petitioner for the year 2007-08 up to 31.03.2008 only fixing the rate up to 16 KMs. per metric ton @ Rs.117.51 ps. and beyond
16 KMs. per metric ton per kilometer is Rs.2.95 ps.

In view of the aforesaid award of contract, I am of the opinion that the respondents have to enter into agreement with the petitioner. Therefore, no further orders required to be passed in this writ petition and hence the writ petition is liable to be closed.

Accordingly, the writ petition is closed. No costs.

V.ESWARAIAH, J.

Date:03.08.2007
ccm